HEALTH AND SPORT COMMITTEE
HUMAN TISSUE (AUTHORISATION) (SCOTLAND) BILL
RESPONSE FROM NHS AYRSHIRE AND ARRAN

What do you think are the key strengths and weaknesses of the proposals to introduce 'deemed authorisation' for those who have not made their wishes on organ donation known?

Strengths:

- Introduction of this bill will increase public awareness of organ donation, which may increase the number of individuals opting in, which will potentially improve donor numbers.
- The bill supports the concept that discussing organ donation prior to, and at the end of life, should be seen as normal practice.
- The burden of decision making placed on families during conversations regarding organ donation will potentially be eased, if their relative has made a decision in their life.

Weaknesses:

- The economic costs of introducing the bill will be significant and ongoing, as evidenced by the experience in Wales.
- A more effective use of public resource may be to employ more front line SN-ODs, to impact on their response time when referred potential organ donors. It is known that families often refuse to authorise donation given the time delays involved.
- The public awareness campaign may increase the proportion of individuals who opt out of organ donation.
- Families may continue to not authorise donation despite their relatives express wishes, therefore the bill may not impact on authorisation rates.
- Although the evidence from Wales suggests higher consent rates, there has been no actual increase in donor numbers. It may have been prudent to observe progress in Wales to assess if this change in legislation is a good use of public resource.
- It is not clear from the bill how vulnerable adults with no next of kin will be treated. Often these individuals do not have the means to communicate their wishes, and if they have no immediate family or next of kin then this will be challenging.
What do you think are they key strengths and weaknesses of the plans for authorisation of pre-death procedures?

Strengths:

- Pre-mortem interventions (Type B) to improve the quality of retrieved organs are a positive development.

Weaknesses:

- The bill is not particularly clear on what these pre-mortem interventions are therefore it is difficult to comment on this area.

Do you have any other comments to make on the Bill?

With reference to paragraph 139 it is very important that the CMO issues guidance on clinicians encouraging referral of all potential organ donors. In addition it would be useful if the CMO or local trust management could notify consultants of cases of missed referral on a case-by-case basis. This would potentially increase the proportion of families who are approached regarding organ donation.